

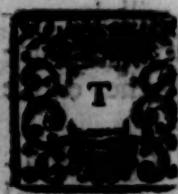
THE PRINCIPAL
A C T S
OF THE
General Assembly
OF THE
C H U R C H
OF
SCOTLAND.

Begun at *Edinburgh*, upon *Thursday* the 8th Day of
May 1740, and concluded the 20th Day of the said
Month and Year.

I.

*The King's Commission to John Earl of
Hyndford produced, and ordered to be
recorded.*

At Edinburgh, 8th May, 1740, Sess. 1.



HE General Assembly of this National Church
being convened and constituted, there was pro-
duced to them by the Right Honourable *John*
Earl of *Hyndford* the King's Commission, sealed
with the Seal appointed by the Treaty of Union
to be kept and used in *Scotland*, in Place of the
Great Seal of *Scotland*, making and constituting him his Ma-
jesty's High Commissioner and Representative in this Assembly,
of the same Tenor with the Commission granted to his Lord-
ship last Year ; which Commission being publickly read, with
all due Honour and Respect, was appointed to be recorded in
the Books of Assembly.

*The King's Most Gracious LETTER
to the General Assembly, presented to them
by his Majesty's Commissioner.*

Edinburgh, May 8th, 1740. Seal.

GEORGE R.



RIGHT Reverend and Well-beloved, We greet you well. When We reflect upon the prudent Conduct and dutiful Behaviour of your former Assemblies, and the many Instances we have had of your Loyalty and Affection for Our Person and Government, We cannot doubt but you will come together with the same good Dispositions: We therefore most readily countenance this your present Meeting with Our Royal Approbation and Authority, and renew the Assurances We have so often given you, of Our firm Resolution inviolably to maintain the Church of Scotland, as established by Law, in the full Enjoyment of its just Rights and Privileges.

As we have greatly at Heart the promoting of true Religion and Piety, the suppressing of Vice and Immorality, and the preventing the Growth of Popery, so We are persuaded that you, on your Parts, will do every Thing that may contribute to the attaining these great and good Ends, wherein you may depend upon Our Concurrence and Support: And as you must be sensible of the great Importance of a good Agreement and Unanimity among yourselves, to the Success of your Councils and Resolutions, We are confident that your Debates will be conducted with that Prudence and Moderation which are becoming so Venerable an Assembly, and which will further entitle you to Our Royal Favour.

We have again appointed Our Right Trusty and Right Well-beloved Cousin, John Earl of Hyndford, to represent Our Royal Person in your Assembly, who has given Us such Proof of his Abilities, and Zeal for Our Service, and of his affectionate Concern for the Church of Scotland, that We assure Ourselves the Choice We have made of him will be very agreeable to you, and that you will readily give him your best Assistance in the Discharge of so great a Trust; And so We bid you very heartily farewell. Given at Our Court at St. James's the Twenty Fifth Day

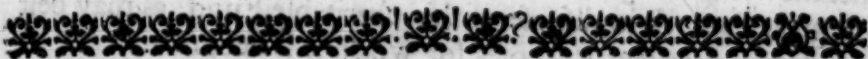
Day of *April*, One thousand seven hundred and forty, in the Thirteenth Year of Our Reign.

By his Majesty's Command,

HOLIES NEWCASTLE.

Directed thus:

To the Right Reverend and Well-beloved, the Moderator, Ministers and Elders of the GENERAL ASSEMBLY of the Church of Scotland.



III.

The General Assembly's Answer to the King's Most Gracious Letter.

Edinburgh, May 10th, 1740. Sess. 3.

May it please Your Majesty,

THE Most Gracious Letter, with which Your Majesty has been pleased to honour us, was received with all the Respect and Thankfulness becoming Loyal Subjects, sensible of the great Happiness they enjoy under the Government of so good, just, and wise a Sovereign.

The particular Notice Your Majesty takes of the prudent Conduct and dutiful Behaviour of our former Assemblies, and of their steady Loyalty and Affection for Your Majesty's Person and Government, which were always their Duty and Interest, animates us to persevere in the same good Dispositions.

That Your Majesty doth countenance this present Assembly with Your Royal Approbation and Authority, and renewed Assurances of Your firm Resolution, inviolably to maintain the Church of *Scotland*, as established by Law, in the full Enjoyment of its just Rights and Privileges, is what cannot but give us the greatest Satisfaction, and oblige us to manage our Affairs, so as we may always have the Honour and Comfort of Your Majesty's good Opinion and Approbation.

We should be very unworthy of the Character of Ministers of **JESUS CHRIST**, if we shall not use our utmost Endeavours for promoting of true Religion and Piety, the suppressing of Vice and Immorality, and the preventing the Growth of Popery, and, on our Parts, to do every Thing that may contribute to the attaining of these great and good Ends, which Your Majesty has so much at Heart, especially since we are assured of Your Royal Concurrence and Support.

B

As

As we are sensible of the great Importance of a good Agreement and Unanimity among ourselves, to the Success of our Councils and Resolutions, we are determined that, through the good Hand of our God upon us, all our Debates shall be conducted with that Prudence and Moderation which become us, and may further recommend us to Your Royal Favour.

The Continuance of Your Majesty's Bounty, for the Reformation of the *Highlands* and *Islands*, we accept with all Thankfulness, as a fresh Instance of Your pious Intentions to propagate the Knowledge of JESUS CHRIST in those Parts; and it shall be our great Care, so to dispose of this charitable Fund, as may best answer the excellent Purposes for which it is designed.

The Choice that Your Majesty has again made of the Earl of *Hyndford* to represent Your Royal Person in this Assembly, we take to be a signal Mark of Your Majesty's Goodness to this Church; his known Abilities for discharging the high Trust reposed in him, his Fidelity to Your Majesty, his Zeal for Your Service and Government, his firm Attachment to the Interests of this Church, and his prudent Conduct in the last Assembly, makes the Choice of him most agreeable to us, and lays us under the strongest Obligations to give him our best Assistance in the Discharge of that great Trust.

That God may eminently bless Your Majesty with all spiritual and heavenly Blessings in Christ Jesus, and long preserve You for the general good of *Europe*, the Support of the reformed Interests, the Relief of distressed Protestants abroad, and the Happiness of all Your Majesty's Subjects, as to their religious and civil Concerns: That God may abundantly bless their Royal Highnesses the Prince and Princess of *Wales*, and all the Branches of Your Royal Family; and that the Lord of Hosts, to whom we render Thanks for the Success that has already attended Your Majesty's Arms, may make You still victorious over Your Enemies, till the War, in which Your Majesty is now engaged, for vindicating the Honour of Your Crown, and redressing the Injuries done to Your Subjects, shall terminate in an honourable and advantageous Peace, are the constant and fervent Prayers of,

May it please Your Majesty,

Your Majesty's most faithful, most obedient, and most loyal Subjects,

Edinburgh, May 10.
1740.

The Ministers and Elders met in the National Assembly of the Church of Scotland.

Signed in our Name, in our Presence, and at our Appointment by

GEORGE LOGAN, Moderator.
ACT

IV.

ACT and SENTENCE of Deposition from the Office of the Holy Ministry, against eight Ministers, Seceders from the Church.*Edinburgh, May 12th, 1740. Sess. 4.*

THE General Assembly of the Church of Scotland, pursuant to their Resolution on Saturday last, proceeded to the Affair relating to the seceding Ministers, viz. Messrs. *Ebenezer Erskine at Stirling, William Wilson at Perth, Alexander Moncrief at Abernethy, James Fisher at Kinclaven, Ralph Erskine at Dumfermline, Thomas Mair at Orwal, Thomas Nairn at Abbotshall, and James Thomson at Burntisland*; and having caused all the eight to be called thrice publickly at the Doors of the Assembly-house and of the New Church, and none of them compearing, nor any Person for them, the Assembly caused to be read the Libel drawn up by the Commission of the General Assembly 1738, and executed against all the foresaid Brethren, with the Paper intituled, *Act of the Associate Presbytery*, Finding and Declaring, "That the present Judicatories of this National Church are not lawful nor right constitute Courts of CHRIST, and declining all Authority, Power and Jurisdiction, that the said Judicatories may claim to themselves over the said Presbytery, or any of the Members thereof, or over any that are under their Inspection; and particularly declining the Authority of a General Assembly, met at *Edinburgh the 10th of May 1739*," which Paper they had delivered in at the Bar of the last Assembly in a pretended presbyterial Capacity. There was also read the Libel drawn up and executed against Mr. *James Thomson* Minister at *Burntisland*, by Order of the Commission of the last Assembly, in Obedience to the 4th Act of that Assembly. After reading of which Libel, with the said fourth Act of last Assembly, the General Assembly (in respect that the Relevancy and Proof of the Libel against all the said Ministers was judged by the last Assembly, and that there was no Doubt of the Competency of the Process as to any of the seceding Ministers, except Mr.

Thomson, in respect of which a new Libel was ordered to be raised and executed against him) after Reasoning, proceeded to state the Question, *Is the Libel against Mr. Thomson relevant and proven, as to the material Articles, to infer Deposition, or Not? viz.* "That the said Mr. *Thomson* has seceded and separated from this Church, and that he, with his said other Brethren, associate themselves into a Presbytery, and as such have framed and published, and do adhere to the pretended *Act, Declaration and Testimony* libelled, wherein they endeavour to assign the Grounds of their unreasonable and irregular Conduct, and take upon them to condemn this Church, and the Judicatories thereof for their Proceedings; and to cast many groundless and calumnious Reflections upon her and them; and that the said Mr. *Thomson*, with the other Defenders, by the Paper given in to the last Assembly, had the unparalleled Boldness to appear before the highest Judicatory of this Church, to which they had vowed Obedience, and, instead of answering as Pannels and Defenders at the Bar, pretended to appear as a separate, independent and constituted Judicatory, and to read or pronounce an Act of theirs, condemning this Church and the Judicatories thereof, upon several groundless Pretences, and to decline the Authority of the same; and that he the said Mr. *Thomson*, with the other Defenders, did, in presence of the Assembly by their said Paper, take upon them to speak in most injurious, disrespectful and indecent Terms concerning the highest civil Authority." And the Vote being put, *Find as above, or Not?* And it was carried, by a very great Majority, *Find: AND THEREFORE* the General Assembly DID and hereby DO FIND the said Libel against the said Mr. *James Thomson* relevant to infer Deposition, and also proven as to its most material Articles, as above. But the Assembly delayed further Procedure in this Affair till *Thursday* next.

Edinburgh, May 15th, 1740. Sess. 7.

THE General Assembly, pursuant to their Resolution of the 12th Instant, resumed the Consideration of the Process against the eight seceding Ministers; and having caused them to be again called, and none of them compearing, nor any Person for them, the Assembly caused to be read the Minute of their Proceeding in this Affair on *Monday* last, and also the Act of the last Assembly of *May 19th, 1739*, and then proceeded to consider, Whether, upon the Libel found relevant to infer Deposition, and proven as to its most material Articles, by the last General Assembly against the whole Ministers therein-named, and again found relevant and proven by this Assembly, in so far as concerns Mr. *James Thomson* upon the new Libel

bel executed against him, in pursuance of the said Act of the last Assembly, this Assembly should proceed to inflict the said Censure of Deposition; and, after full Reasoning upon the Expediency thereof, and Prayer to God for Direction how to judge in this weighty Affair, and for his Blessing on such Decision as the Assembly should come to, it was agreed to put the Question, *Depose*, or *Not*? And Rolls being called, and Votes marked, it carried, by a very great Majority, *Depose*: And therefore the General Assembly, in respect of the Articles found relevant and proven against the Persons therein and hereafter named by the last and this Assembly, as aforesaid, DID, and hereby DO, in the Name of the LORD JESUS CHRIST, the sole King and Head of the Church, and by Virtue of the Power and Authority committed by him to them, actually DEPOSE Messrs. *Ebenezer Erskine at Stirling, William Wilson at Perth, Alexander Moncrief at Abernethy, James Fisher at Kinclaven, Ralph Erskine at Dumfermline, Thomas Mair at Orwal, Thomas Nairn at Abbotshall, and James Thomson at Burntisland*, Ministers, from the Office of the Holy Ministry, prohibiting and discharging them, and every one of them, to exercise the same, or any Part thereof within this Church in all Time coming: And the Assembly DID, and hereby DO, DECLARE all the Parishes or Charges of the Persons above-named vacant, from and after the Day and Date of this Sentence: And Ordains Copies hereof to be sent to the several Presbyteries of *Stirling, Perth, Dunkeld, Dumfermline* and *Kircaldy*; and the said respective Presbyteries are hereby Ordered to send Copies hereof to the Kirk-Sessions of *Perth* and *Dumfermline*, and Session Clerks of the other respective Parishes hereby declared vacant, to be communicated to the Elders. And the Assembly appoints that Letters be wrote by their Moderator to the Magistrates of the respective Burghs concerned, with Copies of this Sentence: And the Assembly recommends to the Presbyteries, within whose Bounds the Parishes or Charges, now declared vacant, do ly, to be careful in using their best Endeavours for supplying the same during the Vacancy, and for promoting the speedy and comfortable Settlement thereof.

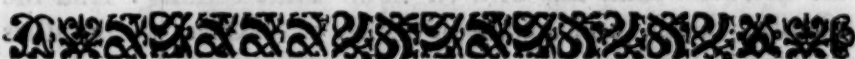
Edinburgh, May 16th, 1740. Sess. 8.

THE General Assembly do instruct and impower the Commission to be appointed by them, to take in and finally decide in any Process that may come before them from any Synod or Presbytery, towards the speedy Settlement of any of the Parish Churches declared vacant by the Assembly's Sentence past Yesterday.

V.

*ACT discharging Presbyteries to consent to the suppressing of Parish Churches.**Edinburgh, May 17th, 1740. Sess. 9.*

THE General Assembly having heard the Overture transmitted by the late General Assembly to Presbyteries, concerning their consenting to suppressing of Parish Churches; and finding that diverse Presbyteries have given their Opinion that the same be past into an Act: The General Assembly do hereby Discharge all Presbyteries within this National Church to consent to, or connive at the Annexation or suppressing of Parishes, without the Consent or Approbation of the Synod of the Bounds, or the General Assembly.



VI.

*COMMISSION to some Ministers and Ruling Elders, for discussing Affairs referr'd to them.**Edinburgh, May 19th, 1740. Sess. 10.*

THE General Assembly taking to their Consideration, that there are diverse Affairs which they cannot overtake, do hereby nominate, commissionate and appoint the Reverend Mr. George Logan, Minister at Edinburgh, their Moderator; And from the Presbytery of Dunoon, Mr. Alexander M'Kay at Kilfinnan, Mr. William Campbell at Kilmoddan, Ministers; Archibald Earl of Islay, and Sir James Campbell of Ardkinglass, Bart. Ruling-Elders. From the Presbytery of Kintyre, Mr. John M'Vicar at Islay, Mr. John M'Lean at Killeen, Ministers, Mr. Alexander M'Millan of Dunmore, Ruling-Elder. From the Presbytery of Inverary, Mr. James Getty at Inverary, Mr. Alexander Campbell there, Ministers; Colin Campbell of Kilbride, Esq; and from the Burgh of Inverary, Captain John Campbell, Ruling-Elders. From the Presby-

General Assembly, 1740.

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Presbytery of Lorn, Mr. *James Stevenson* at Ardchattan, Mr. *James Campbell* at Kilbranden, Ministers; *James Campbell* of St. Germain's, Ruling Elder. From the Presbytery of Mull, Mr. *John M'Lean* at Kilninian, Mr. *Archibald Campbell* at Morvern, Ministers; Sir *Duncan Campbell* of Lochnell, Ruling Elder. From the Presbytery of Dunkeld, Mr. *John Hamilton* at Kenmore, Mr. *Alexander M'Lagan* at Little-Dunkeld, Mr. *Adam Fergusson* at Muline, Mr. *Thomas Man* at Dunkeld, Ministers; His Grace *James Duke* of Athole, *Patrick Small* of Lianoch, and Mr. *Alexander Murray* of Ladywell, Ruling Elders. From the Presbytery of Perth, Mr. *James Mercer* at Aberdalgie, Mr. *Andrew Schaw* at St. Madois, Mr. *John Moncrief* at Rhind, Mr. *Alexander Mair* at Forteviot, Ministers; Mr. *Robert Craigie* of Glendoig, and Mr. *Alexander Belches* of Innermay, Ruling Elders: And from the Burgh of Perth, the Lord *Monzie*, and *Patrick Cree* late Provost of Perth. From the Presbytery of Stirling, Mr. *William Campbell* at Alva, Mr. *James Mackie* at St. Ninians, Mr. *William Bennet* at Denny, Ministers; *William Stirling* of Halbertshire; And from the Burgh of Stirling, *Robert Banks* Merchant there, Ruling Elders. From the Presbytery of Auchterarder, Mr. *Alexander Murray* at Foulis, Mr. *Æneas Schaw* at Comrie, Mr. *William Moncrief* at Blackford, Ministers; Mr. *James Graham* of Damside, Ruling Elder. From the Presbytery of Dumblane, Mr. *Michael Potter* at Kippen, Mr. *Finlay Fergusson* at Balquhiddy, Ministers; and Sir *James Campbell* of Aberuchle, Bart. Ruling Elder. From the Presbytery of Dumfermline, Mr. *Robert Stark* at Torryburn, Mr. *Robert Steedman* at Beith, Mr. *David Hunter* at Saline, Ministers; Colonel *John Erskine* of Carnock; From the Burgh of Dumfermline, Lord Marquis of Tweddale, from the Burgh of Culrofs, Mr. *Alexander Boswell* younger of Affleck; and from the Burgh of Innerkeithing, Mr. *John Cunningham* of Balbougie, Ruling Elders. From the Presbytery of Kirkcaldy, Mr. *John Affleck* at Auchterderan, Mr. *Robert Balfour* at Balingric, Mr. *Robert Young* at Lesly, Ministers; Mr. *Hugh Murray* of Melgum; From the Burgh of Kirkcaldy, Doctor *Robert Hay* of Strowie; and from the Burgh of Dyfart, Mr. *George Irvine* of Newton, Ruling Elders. From the Presbytery of Coupar, Mr. *William Thomson* at Flisk, Mr. *George Gillespie* at Strathmiglo, Mr. *George Anderson* at Dunbog, Mr. *Patrick Maxton* at Auchtermachty, Ministers; *Alexander Earl* of Leven, *James M'Gill* of Rankeilor; and from the Burgh of Coupar, Commissary *James Lesly*, Ruling Elders. From the Presbytery of St. Andrews, Mr. *James Hadow* Principal of the New College of St. Andrews, Mr. *Thomas Tullideph* Principal of St. Leonard's College there, Mr. *John Cook* at St. Monance, Mr. *Alexander Walker* at Kemback, Ministers; *James Fernie* late Dean of Guild of St. Andrews, Baillie *Robert Wad-*

Waddel in *Kilreny*; for the Burgh of *St. Andrews* *Patrick Lindsay* Esq; Ruling Elders; and from the University of *St. Andrews*, Mr. *Archibald Campbell* Professor of Church-History there. From the Presbytery of *Meigle*, Mr. *James Ramsay* at *Bendochy*, Mr. *Laurence Brown* at *Lentrathen*, Mr. *John Robertson* at *Alyth*, Ministers; and *Thomas Gibson* of *Muirton*, Ruling Elder. From the Presbytery of *Forfar*, Mr. *Hugh Maxwell* at *Forfar*, Mr. *John Martine* at *Othlaw*, Ministers; and *John Donaldson* of *Invereighty*, Ruling Elder. From the Presbytery of *Dundee*, Mr. *William Thomson* at *Strathmartine*, Mr. *Thomas Randall* at *Inchture*, Mr. *Thomas Donaldson* at *Liff*, Ministers; and Baillie *John Jobson* of *Dundee*, Ruling Elder. From the Presbytery of *Aberbrothwick*, Mr. *Robert Trail* at *Panbride*, Mr. *Robert Preston* at *Arbirlot*, Ministers; and Baillie *James Doig*, Ruling Elder. From the Presbytery of *Brichen*, Mr. *John Coupar* at *Montrose*, Mr. *James Beatty* at *Marytoun*, Mr. *Robert Stephen* at *Craig*, Ministers; and Baillie *Muirison* of *Montrose*, Ruling Elder. From the Presbytery of *Fordoun*, Mr. *James Douglas* at *Arbuthnot*, Mr. *William Arnot* at *Bervie*, Mr. *Anthony Dew* at *Fettercairn*, Ministers; Mr. *Burnet* younger of *Montboddo*, and from the Burgh of *Bervie*, Mr. *Alexander Arbuthnot* of *Knox*, Ruling Elders. From the Presbytery of *Aberdeen*, Mr. *John Lumisden* Professor of Divinity in the King's College of *Aberdeen*, Mr. *James Nicolson* at *Banchory*, Mr. *Alexander Shanks* at *Drum oak*, Mr. *Archibald Napier* at *Mary-Coulter*, Ministers; Mr. *William Chalmers* Provost of *Aberdeen*, Mr. *William Grant* His Majesty's Solicitor, Ruling Elders; from the King's College, Mr. *George Chalmers* Principal there, and from the *Marshall College*, Mr. *James Chalmers* Professor of Divinity there. From the Presbytery of *Kincardine-Oniel*, Mr. *John M'Innes* at *Crathy*, Mr. *Alexander Garden* at *Birs*, Mr. *George Shepherd* at *Aboyne*, Ministers; and Sir *Arthur Forbes* of *Craigivar*, Baronet, Ruling Elder. From the Presbytery of *Alford*, Mr. *William Miln* at *Kildrimy*, Mr. *Patrick Reid* at *Clate*, Mr. *Theodore Gordon* at *Kinnethmont*, Ministers. From the Presbytery of *Ellon*, Mr. *James Burnet* at *Ellon*, Mr. *John Rose* at *Logie*, Ministers; and the Lord *Strichen*, Ruling Elder. From the Presbytery of *Gairloch*, Mr. *Francis Downy* at *Kemnay*, Mr. *George Gordon* at *Bourty*, Mr. *James Darling* at *Kintore*, Ministers; Lord *Drumore*, and from the Burgh of *Kintore*, Mr. *James Erskine* of *Grange*, Ruling Elders. From the Presbytery of *Deer*, Mr. *James Lestly* at *St. Fergus*, Mr. *William Hay* at *Crimond*, Mr. *James Walker* at *Peterhead*, Ministers. From the Presbytery of *Turreff*, Mr. *Thomas Scot* at *Fivy*, Mr. *William Miln* at *Inverkeithny*, Ministers, Mr. *David Bennerman*, Probationer, Ruling Elder. From the Presbytery of *Fordice*, Mr. *Walter Morison* at *Deskford*, Mr. *James Anderson* at *Boyndie*, Ministers; and Robert

bert Stewart Provost of Banff, and from the Burgh of Cullen, Mr. *Charles Hopewier* of Craigie-hall, Ruling Elders. From the Presbytery of Strathbogie, Mr. *Thomas Fairbairn* at Gairtly, Mr. *Patrick Gordon* at Rhynie, Ministers; and Mr. *William Duff* of Crombie, Ruling Elder. From the Presbytery of Aberlour, Mr. *Alexander Fraser* at Inveraven, Mr. *Hugh Grant* at Knockando, Ministers; and the Lord Elchies, Ruling Elder. From the Presbytery of Abernethy, Mr. *William Blair* at Kingussie, Mr. *George Grant* at Kirkmichael, Ministers; and *Ludovick Grant* younger of Grant, Ruling Elder. From the Presbytery of Elgin, Mr. *William Dougal* at New-Spynie, Mr. *John Bowar* at Duffus, Ministers; and *Lodovick Dunbar* of Westfield, Ruling Elder. From the Presbytery of Forreß, Mr. *John Squire* at Forreß, Mr. *Robert Dunbar* at Dyke, Ministers, and Mr. *James Brodie* of Whithill, Ruling Elder. From the Presbytery of Inverness, Mr. *Robert Thomson* at Kirkhill, Mr. *James Lesly* at Moy, Ministers; and *Duncan Forbes* of Culloden, Esq; Lord President of the Court of Session, and from the Burgh of Inverness, *John Hoffack* Provost thereof, Ruling Elders. From the Presbytery of Channoury, Mr. *John Munro* at Suddy, Mr. *John Robertson* at Kilurnan, Ministers; and Mr. *Alexander Gordon* of Ardeoch, Ruling Elder. From the Presbytery of Tain, Mr. *Hugh Munro* at Tain, Mr. *John M^r Arthur* at Logy-easter, Ministers; and Mr. *John Gordon* younger of Innergordon, Ruling Elder. From the Presbytery of Dingwall, Mr. *Thomas Chisholm* at Kilmorack, Mr. *James Fraser* at Alness, Ministers; Mr. *Albert Munro* of Coull, and from the Burgh of Dingwall, Sir *Robert Munro* of Foulis, Baronet, Ruling Elders. From the Presbytery of Abertarph, Mr. *John Stewart* at Kilmanivaig, Minister, and *Alexander Fraser* of Balnain, Ruling Elder. From the Presbytery of Skye, Mr. *Archibald M^r Queen* at Snizort, Mr. *Daniel M^r Aulay* at Braccadale, Ministers. From the Presbytery of Gairloch, Mr. *Aeneas Sage* at Lochcaron, Mr. *Aeneas M^r Aulay* at Applecross, Ministers. From the Presbytery of Dornoch, Mr. *Robert Kirk* at Dornoch, Mr. *John Sutherland* at Golspie, Ministers; and *Andrew M^r Culloch* Baillie and Merchant in Dornoch, Ruling Elder. From the Presbytery of Tong, Mr. *Walter Ross* at Tong, Mr. *Murdoch M^r Donald* at Diurness, Ministers; and *George Lord Reay*, Ruling Elder. From the Presbytery of Caithness, Mr. *James Oswald* at Dunnet, Mr. *Alexander Oliphant* at Bowar, Ministers; and the Lord Murkle, Ruling Elder. From the Presbytery of Kirkwall, Mr. *John Ballantyne* at South-Ronaldshay, Mr. *Thomas Galloway* at Dearness, Ministers, and *James Earl of Morton*, Ruling Elder. From the Presbytery of Zetland, Mr. *William Maxwell* at Dunrossness, Mr. *William Archibald* at Unst, Ministers; and Captain *James Craigie* Merchant in Lerwick, Ruling Elder. From the

the Presbytery of Edinburgh, Mr. *John Tburn* at Kirknewton, Mr. *John Goudie* Professor of Divinity in the College of Edinburgh, Mr. *James Bannatyne* at Edinburgh, Mr. *John Glen* there, Mr. *George Gibson* at Collington, Mr. *George Fordice* at Corstorphin, Ministers; *John Osburn* late Provost of Edinburgh, Mr. *Alexander Nisbet* of Northfield, Mr. *James Davidson* of Halthie, Ruling Elders; From the City of Edinburgh, *Baillie Charles Hope* Merchant, and Conveener *George Cunningham* Surgeon; From the University of Edinburgh, Mr. *Patrick Cuming* Professor of Church-History there. From the Scots Church of Campvere, Mr. *James Yair*, Minister, and *Archibald M^r Aulay* Lord Conservator of the Scots Privileges there. From the Presbytery of Linlithgow, Mr. *James Nasmith* at Dalmeny, Mr. *Robert Dalglish* at Linlithgow, Mr. *Robert Boyd* at Muiravenfide, Mr. *Patrick Bennet* at Polmount, Ministers; the Earl of *Buchan*, and the Lord *Napier*, Ruling Elders; From the Burgh of Linlithgow, the Lord *Torphichen*, from the Burgh of *Queensferry*, the Laird of *Dundas*. From the Presbytery of *Biggar*, Mr. *John Thomson* at Liberton, Mr. *Andrew Richardson* at Broughton, Ministers; Mr. *John Dickson* younger of *Kilbucko*, Ruling Elder. From the Presbytery of *Peebles*, Mr. *Alexander Coupar* at Traquair, Mr. *Alexander Robertson* at Eddilston, Mr. *Alexander Duncan* at Traquair, Ministers; *Alexander Williamson* of Chappelhill, Ruling Elder; From the Burgh of *Peebles*, Baron Clerk. From the Presbytery of *Dalkeith*, Mr. *David Lindsay* at Cockpen, Mr. *William Smith* at Cranston, Mr. *James Primrose* at Crichton, Ministers, the Lord *Arniston*, and Mr. *Robert Dundas* younger of *Arniston*, Ruling Elders. From the Presbytery of *Haddington*, Mr. *Archibald Lundie* at Salton, Mr. *John Cuming* at *Humbie*, Mr. *Archibald Blair* at *Garvald*, Ministers; *Alexander Hamilton* of *Pancatland*, Esq; and from the Burgh of *Haddington*, Mr. *Charles Cockburn* Advocate, Provost thereof, and Sir *Hugh Dalrymple* of *Northberwick* for the Burgh of *Northberwick*, Ruling Elders. From the Presbytery of *Dunbar*, Mr. *John Cluny* at *White-kirk*, Mr. *John Lundie* at *Oldhamstocks*, Ministers; Mr. *Thomas Hamilton* Advocate; and from the Burgh of *Dunbar*, *Lodovick Cant* of *Thurston*, Ruling Elders. From the Presbytery of *Dunse*, Mr. *James Lawrie* at *Langton*, Mr. *Robert Monteith* at *Longformacus*, Ministers; *William Earl of Home*, Ruling Elder. From the Presbytery of *Chirnside*, Mr. *Robert Park* at *Foulden*, Mr. *Robert Waugh* at *Hutton*, Mr. *James Allan* at *Eymouth*, Ministers; Mr. *John Stewart* Advocate, Ruling Elder. From the Presbytery of *Kelso*, Mr. *James Ramsay* at *Kelso*, Mr. *Charles Baxter* at *Sprouston*, Ministers, Mr. *Charles Binning* of *Pilmore*, Ruling Elder. From the Presbytery of *Jedburgh*, Mr. *John Gilchrist* at *Bedrule*, Mr. *Robert Bell* at *Crealling*, Mr. *James Winchester* at *Jedburgh*, Ministers; the Lord *Minto*, Ruling Elder. From the Presbytery of *Erfilton*, Mr.

John

John Bell at Gordon, *Mr. David Duncan* at Stow, Ministers; *Robert Kennedy* of Greenknow; and from the Burgh of Lauder, the Earl of Lauderdale, Ruling Elders. From the Presbytery of Selkirk, *Mr. William Bannatyne* at Yara, *Mr. Henry Erskine* at Robertson, Ministers; *Mr. Andrew Ker* of Kippilaw; and from the Burgh of Selkirk, *Gideon Schaw* of Lauriston, Ruling Elders. From the Presbytery of Middlebee, *Mr. Robert Malcolm* at Ewes, *Mr. James Garth* at Graitney, Ministers; *Mr. Robert Scot* of Burnhead, Ruling Elder. From the Presbytery of Lochmaben, *Mr. John Allan* at Kirkmichael, *Mr. John Irvine* at Wamphry, *Mr. John Nimmo* at Johnston, Ministers; *Mr. William Kirkpatrick* of Elliesland, Ruling Elder. From the Presbytery of Penpont, *Mr. Simon Riddel* at Tinrom, *Mr. William Moodie* at Glencairn, Ministers; *Alexander Fergusson* of Craigdarroch, Ruling Elder. From the Presbytery of Dumfries, *Mr. Robert Wight* at Dumfries, *Mr. Andrew Beveridge* at Carlawerock, *Mr. John Dickie* at Dunscore, Ministers; *Charles Erskine* of Tinwald, Esq; Lord Advocate, Ruling Elder. From the Presbytery of Kirkcudbright, *Mr. Robert Donaldson* at Balmacellan, *Mr. John Lamont* at Kelton, *Mr. Nathaniel M'Kie* at Crofmichael, Ministers; *Sir Thomas Gordon* of Earlstoun, Baronet; and from the Burgh of Kirkcudbright, *Alexander Gordon* of Carleton, Ruling Elders. From the Presbytery of Wigton, *Mr. James Maitland* at Sorbie, *Mr. William Campbell* at Kirkcudbright, Ministers; *Dr. Alexander Martine*, Physician, and from the Burgh of Whithorn, *Baillie Hugh Hathorn*, Ruling Elders. From the Presbytery of Stranrawer, *Mr. James Tweddale* at Glenluce, *Mr. Thomas Mutter* at Lefwalt, Ministers; *Mr. Andrew M'Dowal* of Kingsseat Advocate, Ruling Elder. From the Presbytery of Air, *Mr. John Hunter* at Air, *Mr. John Steel* at Cumlock, *Mr. George Reid* at Ochiltree, *Mr. John Steel* at Stair, *Mr. Hugh Hamilton* at Girvan, Ministers; *Colonel William Dalrymple* of Glenmore and *Mr. James Boswell* of Affleck, Ruling Elders. From the Presbytery of Irvine, *Mr. Andrew Cuming* at Largs, *Mr. John Adam* at Kilbride, *Mr. Malcolm Brown* at Kilmarnock, Ministers; *Hugh M'Bride* of Baidland, and from the Burgh of Irvine, *John Earl* of Glasgow, Ruling Elders. From the Presbytery of Paisly, *Mr. Robert Mitchel* at Paisly, *Mr. William Pollock* at Kilallan, *Mr. John Warner* at Kilbarchan, Ministers; *Sir John Maxwell* of Pollock, Baronet, and from the Burgh of Renfrew, *Archibald Campbell* of Elderslie, Ruling Elders. From the Presbytery of Hamilton, *Mr. John Scot* at Stenhouse, *Mr. James Millar* at Hamilton, *Mr. Thomas Cleland* at Cambusnethan, Ministers; *John Muirhead* of Braidisholm Esq; Ruling Elder. From the Presbytery of Lanark, *Mr. John Orr* at Lanark, *Mr. John Wilson* at Carstairs, *Mr. William Hamilton* at Douglas, Ministers; *Sir James Lockhart* of Carstairs, Baronet, and *Alexander Wilson* Town-clerk of Lanark Ruling Elders.

Elders. From the Presbytery of Glasgow, Mr. *John Hamilton* at Barony Kirk, Mr. *John Warden* at Campsie, Mr. *William Fleming* at Kirkintulloch, Ministers; *John Orr* of Borrowfield; From the City of Glasgow, *Archibald Hamilton* Merchant, Ruling Elders; from the University of Glasgow, Mr. *Neil Campbell* Principal of the College of Glasgow, from the Burgh of Ruglen, Mr. *James Bogle* Remembrancer in Exchequer, Ruling Elders. From the Presbytery of Dumbarton, Mr. *John M^r Alpin* at Aroquhar, Mr. *George Sinclair* at Balfroun, Mr. *George Buchanan* at Drymen, Ministers; *William Cunninghame* of Ballindalloch; and from the Burgh of Dumbarton, Commissar *Smollet*, Ruling Elders; to be Commissioners of this General Assembly, to the Effects after-mentioned, with Power to the said Commissioners, or their Quorum, which is hereby declared to be any thirty one of the saids Commissioners, whereof twenty one are always to be Ministers, to meet and convene within the Assembly-house at *Edinburgh*, the first free Day after the Dissolution of this Assembly, at Ten o'Clock Forenoon, and thereafter the first *Wednesday* of *August*, and second *Wednesdays* of *November* and *March* next to come, and oftner, when and where they shall think fit and convenient, with Power to the said Commissioners to choose their own Moderator: And likewise the General Assembly fully empower their said Commissioners, or their Quorum above-mentioned, to cognosce and finally determine, as they shall see cause, in every Matter referred, or that shall be referred to them, by any Act or Order of this Assembly, and to do every Thing contained in, and conform to the Instructions given, or to be given by this Assembly; and to advert to the Interest of the Church on every Occasion, that the Church, and present Establishment, thereof do not suffer or sustain any Prejudice which they can prevent, as they will be answerable; providing always that this general Clause be not extended to particular Affairs or Processes before Synods or Presbyteries, that are not of universal Concern to, or Influence upon the whole Church: And it is hereby appointed that no private Processes be determined, except at the four stated Diets; and what shall be determined at one Diet of the Commission, with Relation to private Causes, shall be unalterable by any other Diet thereof, and shall stand and continue in Force till disapproved by the General Assembly. And the General Assembly renews the Instructions given by the General Assembly in the Year 1717 to their Commission, and appoints the same to stand in full Force, as Instructions to the Commissioners above-named, and to be observed by them in all Points, as if the same were specially here insert: And that they enquire into the publishing and spreading of Books and Pamphlets tending towards the promoting of Opinions of whatever Kind, inconsistent with our Confession of Faith, and that the Recommenders of such Books and Pamphlets, or the Errors therein

therein contained, whether by Word, Writ or Print, be called before the said Commission to answer for the same. And further, the said Commission is hereby impowered to receive any References and Appeals that shall be made to them from Synods, in Matters of Doctrine, and ripen such Affairs for the General Assembly; Likewise to take Care that the Impressions of the Holy Scriptures, the Confession of Faith and Catechisms, and such Books as are authorised by this Church, relating to the Doctrine, Worship, Discipline and Government thereof be correct, and give Directions about printing of the same: And the said Commission are impowered to keep a Correspondence with the Committee for Reformation of the *Highlands and Islands*, for suppressing Popery and Superstition, and for promoting of the Knowledge of true Religion, and carrying on a Reformation in these Parts, and give Assistance and Concurrence therein; and, if need be, to apply to the Government for a proper Remedy and speedy Redress. And the said Commission are hereby strictly prohibited and discharged to meddle in any other Matters, than what are committed and referred to them, as aforesaid; and in all their Actings they are to proceed according to the Acts and Constitutions of this Church, and to do nothing contrary thereto, or to the Prejudice of the same; Declaring that in, and for all their Actings, they shall be accountable to and censurable by the next General Assembly, as they shall see cause; and this Commission is to continue and endure untill another Commission be appointed: And Members are required to attend the Diets of the said Commission, and Absents therefrom ordered to be noticed, according to the seventeenth Act of the General Assembly in the Year 1706; and for the better securing of a Quorum, and Attendance of Members on the Commission, the General Assembly prohibits the Presbytery of *Edinburgh*, or any other Presbytery within 12 Miles thereof, to meet any of the Days or Weeks appointed for the Meeting of this Commission; and such of the Members of these Presbyteries as are on the Commission, are required all of them to give Attendance on the Diets thereof; and the Presbyteries at a greater Distance, who have four or more Members on the Commission, are to take Care that at least two of them attend each Diet of the same. And the Assembly recommend to their Commission, at their first Meeting, to discuss as many of the Causes and Questions relative to the Settlement of vacant Churches, which are, or shall be referred to them by the Assembly, as they can overtake. And it is further provided, That when any Presbytery or Synod of this Church shall decline to comply with the Sentences of the Commission, or to give the same a full Execution, in that Case the Commission is hereby prohibited to execute the same, by appointing any such correspondent Meetings, as has been the Practice of late, but shall

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allow the same to ly over to the ensuing Assembly, to which such Presbyteries or Synods shall be answerable for such their Conduct; and are hereby appointed to send up with their Commissioners their Reasons for the same. And the Assembly do further Impower and Direct the said Commission, to make due Application to the King and Parliament for Redress of the Grievance of Patronage, in case a favourable Opportunity for so doing occur, during the Subsistence of this Commission. And the General Assembly do enjoin their Commission, that in passing their Sentences, and in ordering the Execution of the same, they strictly observe the 12th Act of Assembly, 1736.

VII.

Commission to some Ministers and Ruling Elders for Reformation of the Highlands and Islands, and for managing His Majesty's Royal Bounty for that End.

Edinburgh, May 19th, 1740, Sess. 10.

THE General Assembly do hereby commissionate and appoint, the Rev. Mr. *George Logan* Minister of the Gospel at Edinburgh, their Moderator, Messrs. *Neil Campbel* Principal of the College of Glasgow, *John Gowdie* Professor of Divinity in the College of Edinburgh, *William Gusthart* at Edinburgh, *John Matthison* there, *Robert Bell* at Crealine, *John Lumisden* Professor of Divinity in the King's College at Aberdeen, His Majesty's Chaplains; *Neill M'Vicar* at West Kirk of Edinburgh, His Majesty's Almoner, *James Stevenson* at Ardchattan, *John M'Vicar* at Ilay, *Aeneas Schaw* at Comrie, *Robert Steedman* at Beath, *George Anderson* at Dumboig, *James Hadow* Principal of the New College at St. Andrews, *Thomas Randle* at Inchture, *George Chalmers* Principal of the King's College at Aberdeen, *John M'Innes* at Crathie, *James Nicolson* at Banchory, *Walter Morison* at Deskfoord, *Patrick Gordon* at Rhynie, *William Dougal* at Spynie, *John Monro* at Suddie, *John Stuart* at Kilmanivaig, *Robert Kirk* at Dornoch, *Alexander Oliphant* at Bowar, *William Archbald* at Unst, *Alexander Duncan* at Traquair, *Robert Monteith* at Longformacus, *David Duncan* at Stow, *Andrew Beveridge* at Carlaverock, *Nathaniel M'Kie* at Crofmichael, *John Adam* at Kilbride, *John Orr* at Lanark, *James Nasmyth* at Dalmeny,
David

David Lindsay at Cockpen, James Millar at Hamilton, Samuel Semple at Liberton, John Thurburn at Kirknewton, James Walker at Canongate, James Nisbet at Edinburgh, John Guthrie at Ratho, James Bannatyne at Edinburgh, Matthew Wood there, John Walker at Canongate, George Fordice at Corstorphin, William Robertson at Edinburgh, Robert Kinloch there, John Hepburn there, John Glen there, Thomas Pitcairn at West Kirk, Patrick Cummine at Edinburgh, James Stevenson at South Leith, Robert Wallace at Edinburgh, William Wisbart Principal of the College of Edinburgh, George Lindsay at North Leith, George Wisbart at Edinburgh, Robert Hamilton there, George Gibson at Collington, Alexander Webster at Edinburgh, Gilbert Hamilton at Cramond, James Glasgow at Edinburgh Castle, and James Yair at Campvere, Ministers; His Grace James Duke of Athol, the Most Honourable John Marquis of Tweeddale, the Right Honourable James Earl of Morton, David Earl of Buchan, Alexander Earl of Leven, John Earl of Glasgow, Archibald Earl of Ilay, Francis Lord Napier, George Lord Reay, Duncan Forbes of Culloden Lord President of the Court of Session, Charles Erskine of Tinwald Esq; his Majesty's Advocate, the Lord Drumore, the Lord Monzie, the Lord Elchies, the Lord Arncliffe, Baron Clerk, William Grant Esq; his Majesty's Solicitor, James Erskine of Grange Esq; Archibald M'Aulay Esq; Conservator of the Scots Privileges at Campvere, Colonel John Erskine of Carnock, Sir Robert Munro of Fowlis Baronet, Sir James Campbell of Ardkinglass Baronet, Sir James Campbell of Aberuchle Baronet, Patrick Small of Lianoch, John Osburn Esq; late Provost of Edinburgh, Alexander Gordon of Ardoch Esq; Albert Munro of Coull Esq; John Dickson younger of Kilbucko Esq; Thomas Dundas of Fingask, Charles Hope Merchant and present Baillie in Edinburgh, Hugh Hathorn late Baillie there, George Cunninghame Surgeon present Deacon Conveener of the Trades in Edinburgh, Mr. James Baillie of Hardington Writer to the Signet, George Buchan of Cumlage, Mr. William Duff of Crombie, Mr. Thomas Rigg of Morton Advocate, James Nimmo Cashier of his Majesty's Excise, Mr. James Davidson of Haltree Treasurer to the Society in Scotland for Christian Knowledge, Mr. Alexander Nisbet of Northfield, James Nasmyth of Earlishaugh, Mr. Patrick Haldane of Bearcrofts Advocate, Charles Cockburn Advocate, Mr. Andrew M'Dowal Advocate, Mr. Robert Dundas younger of Arncliffe Advocate, Alexander M'Millan of Dunmore, Mr. Colin Campbell, Esq; one of the Commissioners of his Majesty's Customs, James Campbell of St. Germain's Esq; Mr. Alexr. Arbuthnot of Knox, and Nicol Spence, Ruling Elders; to be a Committee of this Assembly for Reformation of the Highlands and Islands of Scotland, for promoting the Knowledge of true Religion, suppressing of Popery and Profanity,

for managing the Royal Bounty given for these Ends, according to, and in Terms of his Majesty's Grant to this Assembly, and the sixth Act of the late Assembly, and whole Acts therein-mentioned, and in Acts formerly made and referred to in the Commissions granted to former Committees, any seven of the Persons above-named are declared to be a Quorum, whereof some to be Ministers; but it is hereby appointed, That at the quarterly Meeting of the said Committee, to be held after the rising of the Commission in *August* next, when the Scheme or Establishment of Missionaries for the Year ensuing shall be approved and determined, nine Ministers and five Ruling Elders at least shall be a Quorum: And the said Committee are appointed to have their Meetings at *Edinburgh*, in the Hall of the Society in *Scotland* for propagating Christian Knowledge, the last *Thursday* of every Month, at Three of the Clock in the Afternoon, and also the first lawful Day after the Adjournment of the four stated Diets of the Commission of the General Assembly, at Ten of the Clock Forenoon, except when it falls to be *Friday* or *Saturday*, and then the Meeting is to be on the *Monday* following next thereafter, at the said Hour, with Power to the said Committee to adjourn themselves to such Times and Places as they shall find most convenient and needful; and they are to keep a Correspondence with the Commission of the General Assembly, and the Society for Christian Knowledge, and their Committee of Directors, and take their Advice and Assistance. And the General Assembly do, by these Presents, nominate the said Mr. *William Grant* Advocate his Majesty's Solicitor and Procurator for the Church, to be Receiver of the foresaid Royal Bounty, and to pay out the same, as he shall be directed and ordered by the said Committee, and according to their Rules: And the said Committee are appointed to examine the Accompts of the Distribution of the said Royal Bounty, and lay the same before the Lords Commissioners of his Majesty's Treasury, or Barons of his Majesty's Court of Exchequer, and to report their Diligence to the General Assembly, to whom they are to be accountable; and 'tis agreed that no Person once employed and insert in the Scheme shall be struck out thereof for that Year, but by the Quorum of at least nine Ministers and five Ruling Elders; and in case any Complaint shall be made against any of them on the Scheme, it shall not be determined at the first ordinary Meeting that the same is offered, but shall ly on the Table till another Meeting; and in the mean Time the Person complained of, and the Presbytery of the Bounds wherein he officiates, shall be acquainted of such a Complaint, and these concerned be required to send the said Committee a just Account of the Matter against the said next Meeting. And it is further appointed, That after the yearly Scheme of Missionaries on the Royal Bounty is settled, in manner above-directed, and Notice thereof given by Letters to the Presbyteries concerned, such

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Presbyteries shall send up to the said Committee their Answer to these Letters, at furthest, with their Commissioners to the General Assembly, if the same be not got done sooner; and the Committee, at their Meeting in *May*, shall name a Subcommittee of their Number for preparing the next Year's Scheme, who are to lay their Draught thereof before the said Meeting immediately after the Commission in *August*.



VII.

ACT for the Maintainance of Mr. Nicodemus Bieniaszeuski Student in Divinity from Lithuania.

Edinburgh, May 19th, 1740. Sess. 10.

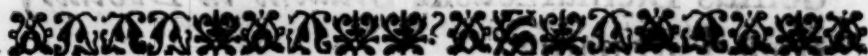


HEREAS the General Assembly of the Church of Scotland did, by their Act dated the 22d *May* 1736, appoint the Synod of *Lothian* and *Tweddale*, the Synod of *Merse* and *Teviotdale*, and the Synod of *Fife*, to pay their Synodical Burse, and the Synod of *Glasgow* to pay their presbyterial Burse, towards the maintaining of Mr. *Andrew Kurnatousky*, the late *Lithuanian* Bursar, for the Space of four Years immediately succeeding *Martinmas*, 1735.

And whereas the Synod of *Lithuania*, in Consequence of the Assembly's Resolution, dated the 23d of *May* 1738, did, in *September* last, send hither Mr. *Nicodemus Bieniaszeuski* to succeed as Bursar to the said Mr. *Kurnatousky* for the next four Years thereafter.

And whereas it is reasonable and equal, that the said publick Burden should be laid upon the several Synods in their Turns: Therefore the General Assembly, conform to the Overture and Opinion of the Commission of the late General Assembly, dated the Fifteenth of *November* last, Did and hereby Do, appoint the Synod of *Glasgow* and *Air*, the Synod of *Dumfries*, and the Synod of *Galloway*, to pay their Synodical Burse, and the Presbytery of *Air* to pay their presbyterial Burse, towards the maintaining the said Mr. *Bieniaszeuski* the present *Lithuanian* Bursar, for the Space of four Years immediately succeeding *Martinmas* 1739: And they further appoint the Moderators of the said Presbyteries for the current half Year to collect, each in his own Presbytery, the first Year's Proportion of the said Burse, and send in the same

to the General Collector of the said Bursary, the one Half of the said Year's Burse at or before the quarterly Meeting of the Commission in *August* next, and the other Half thereof at the quarterly Meeting of the Commission in *November* next; and that the Moderators of the said Presbyteries for the Half Year after *Martinmas* next, collect and send, in like Manner, the said Half Year's Burse, at the quarterly Meeting of the Commission in *March* next, or at furthest before the *Whitsunday* thereafter, and so on termly at *Martinmas* and *Whitsunday* yearly thereafter, for the Space of the above said four Years. And the Assembly do instruct and impower their Commission to take special Care of the Premises, and remit to the said Commission to name a proper Person to be General Collector of the said Bursaries.



IX

Act appointing the Diet of the next General Assembly.

Edinburgh, May 20th, 1740. Sess. ult.



HE next General Assembly of this National Church is appointed to be held in this Place, upon the second *Thursday* of *May* next, in the Year One thousand seven hundred and forty one,

The General Assembly was concluded with Prayer, and singing of the cii. Psalm, from the 13 to the 17 Verses, and pronouncing the Blessing.

Collected and extracted from the Records of the General Assembly by

WILLIAM GRANT *Cls. Eccl. Scot.*

OVER.

OVERTURE of an Act concerning the Licencing of Probationers for the Holy Ministry.



THE Committee for Overtures having, according to Appointment of *Saturday* last, reconsidered the Overture then read as well as on the *Thursday* preceeding, did transmit the same again, as amended, to this Assembly, which being read, with the Amendments, the Tenor whereof follows :

Edinburgh, Monday, May 19th, 1740. Sess. 10.

THE General Assembly considering how much the several Judicatories of this National Church are obliged to use the utmost Care and Caution in all their Proceedings, towards the licencing of Probationers and Candidates for the Holy Ministry, that they may neither licence too many, nor admit any into that Station, that are not sufficiently qualified for it.

And considering further, how expedient it would be, for the better Observation of former Rules and Orders relative hereto, that these should be collected together from the many former Acts of Assembly, where they now ly in several separate Articles, very distant from one another, and much intermixed with other Incidents ; and that such further Clauses as appear necessary should be thereto added, and the whole enacted into one regular Plan, easy and obvious to be observed by all concerned.

Therefore the General Assembly, after transmitting the Matter as an Overture to the several Presbyteries, and their Consent had thereto, and much serious Deliberation thereupon, since the first reading thereof, which was upon the current ; They Did, and hereby Do most earnestly Recommend and strictly Enjoin, Ordain and Appoint these following Orders and Regulations to be carefully and punctually observed by all concerned, as standing Rules and binding Constitutions of this Church.

Imprimis, That strict Enquiry be made into the Piety, Gravity, Prudence, Sobriety, peaceable Disposition, Orthodoxy and Learning of such as are offered to Presbyteries, in order to passing

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sing their Trials, and that such be kept back and rejected as are esteemed to be vain or imprudent, or proud or worldly-minded, by the Generality of sober intelligent Persons who converse with them.

2do, When any Student is first proposed to be entered upon Trials before the Presbytery where he resides, or to be tried, in order to his having a Recommendation to pass Trials in another Presbytery, the foresaid Proposal shall ly upon the Table till the next ordinary Meeting of the Presbytery, before they give Judgment therein, and the Presbytery are to be alone, both when the said Proposal is made and judged upon.

Act 12th
1727.
Act 10th 1694.

3tio, Whereas it is already statuted, That when any Student comes to wait upon the Profession of Divinity in any University, he shall bring along with him a Testimonial from the Minister of the Parish, from whence he comes; and when he leaves the Profession, he shall also take Testimonials with him, one from the Professor of Divinity, either to certify the Students moral and pious Carriage, or to recommend him to be entered on Trials, and another from the Minister of the Parish in which he resided, when he attended the Profession; and when Professors recommend any Students to be entered on Trials, none of these Students are to be received upon their Testimonials, unless the Person recommended be thereby attested, not only as to his moral and pious Carriage, but also, as to his Progress in his Studies, his promising Parts, and his good Affection to the Government of Church and State, and that the Professor do truly judge the Person fit for the Service of the Church. Therefore the Assembly do hereby further Enact and Statute, That the Testimonials to be hereafter granted by Professors of Divinity to their Students, be distinguished in the following Manner; That such of the said Testimonials, as are given on Design for entering of Students on probationary Trials, in order to their being licenced to preach the Gospel, shall expressly bear in their Bosom the following Direction, *To all Presbyteries and Synods concerned*, and that all the rest of the said Testimonials, which may be given in other Views and Occasions, shall be directed not to Judicatories, but to *others concerned*.

Act 5th
1705.

Act 10th
1711.

4to, When the Presbytery, after mature Deliberation, during the Time above-specified in the second Article, shall agree to take the proposed Candidate on Trials, they are then to appoint two or three of their Number to take a private and previous Trial of him, upon some time betwixt and the next ordinary Presbytery, which may be most convenient for themselves and the Candidate, so as a competent Time be spent in his Examination, particularly, enquiring what Progress he hath made in the *Latin, Greek and Hebrew Languages*, and in the Study of Philosophy, and likewise trying him as to his Knowledge in Divinity, Theoretical and Polemical, Practical and Casuistical, and especially in the modern Controversies; what Sense also and

Impression

Anent Licencing Probationers. 25

Impression he has of Religion upon his Soul, and what are his Sentiments upon our *Confession of Faith*, and upon the Worship, Discipline and Government presently established in this Church; and the said Examinators are to draw up in Writing a distinct Report of the said Examination, and lay the same before the Presbytery, at their first Meeting, after the Examination, and the Presbytery are to give Judgment thereon, before either they admit the Candidate to probationary Trials before themselves, or recommend him to any other Presbytery for that Effect, and before they make any Application to the Synod for their special Judgment in the Affair. Act 10th 1713.

5to, If the Presbytery be satisfied with the foresaid private Examination, and the Report thereof made, in the Order and Manner above directed, and if the Candidate, so examined, has resided in their Bounds, at least Half an Year, immediately before the said Examination, and has been following the Study of Divinity, and of the Languages, for six Years at least, after passing his Course of Philosophy at the College, and if he has produced sufficient and satisfying Testimonials from the Minister of the Parish where he lives, and from the Professor of Divinity, where he may have attended the Profession for some Time, as above directed in the third Article; If the Presbytery be satisfied as to all the foresaid Particulars, and thereupon resolve and agree to admit the Candidate to probationary Trials, their next Step is to order an Extract to be laid before the next Synod, of their having examined the Candidate, and of their being satisfied with his Testimonials, and resolved thereupon, either to admit him to Trials before themselves, or to recommend him to the Presbytery of Act 6th 1714.
Act 10th 1711.
Act 10th 1694. for that Effect, and referring to the Synod to give such Advice, Order or Permission, as they shall judge proper in the Affair.

6to, That none of the foresaid Extracts and References shall be cognosced and finally determined at that Synod to which they are first brought, but be delayed till next ordinary Meeting of the Synod, that all concerned may be maturely advised in the Matter, and that the Candidate be ordered to attend the said Meeting of the Synod, to be examined by the Committee of the Synod appointed for that Effect, and that the Synod appoint one or more in each Presbytery, to be called the *Synodical Committee of Examinators* for the Effect foresaid, and that the Time of the said Committee's meeting, and of their reporting to the Synod, be always appointed at the first Diet of every Synodical Meeting, and marked accordingly in their Minutes, and that the said Examinators make their Report in Writing.

7mo, That such Students as come from Abroad, shall produce satisfying Testimonials from the Professors under whom they studied, and the Time of their being Abroad shall be accounted a Part of the six Years Study above required. But none Act 10th 1711.

Act 6th
1736.

of these Students shall be entered on Trials for the Space of a whole Year after they come to *Scotland*; and such as come licenced from Abroad, shall not be allowed to preach in *Scotland*, till it appear documented, that they had been at the Study of Divinity for six Years after finishing their Course of Philosophy, and they be also re-examined, and come under the Engagements, and sign the *Formula*, according to the 10th Act of the General Assembly 1711, and that it appear by their Licence, or other good Documents, that the said Probationers have been licensed by a regular constitute Presbytery.

Act 6th
1714.

8vo, That Presbyteries Cause read to the Candidates about to be tried, the Engagements required of such as are to be licensed by Act 10th, Assembly 1711, and that they take a Promise of them, that they will subscribe and punctually observe the same, in case they be licensed, and that Presbyteries record the said promise in their Books, and cause all this to be done, before any Part of the publick Trials be prescribed.

Act Sess. 23.
24. Aff. 1638.
Art. 23. Act
Sess. 15th Aff.
1641. Art. 2d
and 3d, Act
10th Aff. 1704.
Act 22d Aff.
1696.

9no, That the publick probationary Trials to be prescribed to Students, before they be licensed to preach as Probationers, are to be these following, namely, The catechetical Questions to be renewed in Presence of the Presbytery, and that previously to all other Parts of the publick Trials; a Homily in *English* on a Scripture-Text, an *Exegesis* in *Latin* upon a controverted Head of Divinity, and the sustaining a Thesis and Dispute thereon, an Exercise and Addition, a Lecture and popular Sermon, a Trial in Chronology; and lastly, The interpreting a Portion of the *Old Testament* in the *Hebrew*, as prescribed by the Presbytery, and a Portion of the *New Testament* in *Greek*, *ad aper-turam libri*. When the Candidates have past thro' all these usual Parts of Trials, with Approbation, and given satisfying Answers to the Questions appointed by Act 10th, Assembly 1711, to be put to such as are to be licensed, and likewise judicially subscribed the *Formula* annexed to the said Act, and thereby come under the Engagements to the Doctrine, Worship, Discipline and Presbyterian Government of this Church, contained in the said Act, Questions and *Formula*; and the Presbytery being well satisfied with his Literature, and other necessary Qualifications, he is thereupon to be licensed by them to preach the Gospel of CHRIST, and exercise his Gifts as a Probationer for the Holy Ministry.

Act 12th
Aff. 1727.

10mo, When any Presbytery, who, with the Synod's Allowance, has entered, or is about to enter a Student on Trials, shall receive a Letter from any Presbytery without the Bounds of the Synod, shewing their Dissatisfaction with the Student entered, or to be entered on Trials, and giving Grounds for the same, the said Student shall not be licensed, until the Matter be laid before the Synod of the Bounds, and they give their Directions thereon, unless the above-mentioned Presbytery, who shewed

shewed their Dissatisfaction, do afterward signify their Consent that the said Trials should go on.

Finally, For the better Observation of this Act, 'tis particularly recommended to the Professors of Divinity, to communicate the Contents thereof to their Students, in a publick Meeting annually, at such Time in the Month of *January*, as shall seem most convenient to them for the Effect foresaid, and all Presbyteries and Synods, and their Committee of Examinators before mentioned, are peremptorily appointed to observe this Act in all its Parts; and the above to be observed, and to stand in Force, in Place of all other Acts of Assemblies or Synods, concerning the Trial of Probationers.

The General Assembly having heard the said Overture, agreed to transmit the same to the several Presbyteries, with the following Form of Licence for their Opinion thereupon, viz.

OVERTURE concerning the Form of a Licence to Probationers, transmitted by the General Assembly, anno 1724, and again by this General Assembly 1740.

THE Presbytery of ——— taking to Consideration, that ——— having past his Course at the College, and thereafter studied Divinity for the Space of six Years; As also having resided for the most Part of that Time within the Bounds of this Presbytery; or having resided six Months within those Bounds, and been recommended by the Presbytery or Presbyteries of ——— where he resided for the most Part of that Time as a Person fit to be entered on Trials; and they being satisfied with the Testimonials given as to his Life and Conversation; As also having had sufficient Testimonials from the Professors of Divinity, with whom he studied during the Time of his Attendance with them, as to his Proficiency in his Studies, and his good Behaviour: And neighbouring Presbyteries, as also the Synod of the Bounds, having been acquainted with the Design of entering him on Trials, and their Advice obtained thereto, he was admitted to the usual Trials appointed by the Acts of the General Assembly of this Church; and having past thro' all the Parts thereof, the said Presbytery did, upon the ——— Day of ——— Years, declare their Satisfaction with the said ———, his Literature, and other necessary Qualifications; and thereupon the Questions appointed to be put to such as are to be licenced, prescribed by the 10th Act of the General Assembly held in the Year 1711, being put to him, he gave satisfying Answers to all the said Questions, and then did judicially subscribe the *Formula* annexed to the said Act, and thereby coming under the Engagements to the Doctrine, Worship, Discipline and Presbyterian Govern-

ment of this Church, contained in the said Act, Questions and Formula; he was licensed by the fore said Presbytery to preach the Gospel of CHRIST, and exercise his Gifts as a Probationer for the Holy Ministry. And now being designed to go elsewhere, the said Presbytery doth hereby allow him this Extract of his Licence.

The General Assembly declare that such Presbyteries as do not send their Opinions to the next General Assembly upon the above Overture and Form of Licence, or who do not dissent therefrom, shall be held as approving thereof.

